

## REMARKS

### Substance of Interview

Applicant's representative Elliott Mason (Reg. No. 56,569) thanks the Examiner for the telephone interview on June 26, 2007. In accordance with MPEP Section 713.04, the substance of the interview is included herein. No exhibits were shown. Applicant's representative received clarification of the "Response to Amendment" section of the Office Action. No agreement was reached on patentability of the pending claims. The Examiner agreed to consider an amendment in the present reply being filed concurrently with a Request for Continued Examination.

### Prior Art Rejections

#### *Independent claims 1, 17, 24, and 28*

Independent claims 1, 17, 24, and 28 each stand rejected as anticipated by Iso-Sipilaet (U.S. 6,697,782). Applicant submits that Iso-Sipilaet neither discloses nor suggests at least "generating a generic response which is provided to said user in response to said speech comparison process determining that the input is unrecognized speech, and ignoring or discarding the input in response to said speech comparison process determining that the input is non-speech," as recited by claim 1, or "[generating] a generic response and [providing] it to a user if it is determined that the input is unrecognized speech, and ignoring or discarding the input if it is determined that the input is non-speech," as recited by each of claims 17, 24, and 28, or "generating a generic response and providing it to a user if the audio signal is identified as belonging to the category of unrecognized speech, and ignoring or discarding the audio signal if the audio signal is identified as belonging to the category of non-speech," as recited by claim 34.

The Examiner states that Iso-Sipilaet discloses "an unrecognized speech response process for generating a generic response which is provided to said user in response to said unrecognized speech comparison process determining, that said user's speech command is unrecognized speech" at column 10, lines 30-40. However, while the cited portion of Iso-Sipilaet, reproduced below, does describe providing an audio and/or visual signal to a user to inform the user of failure of recognition of a first stage (due to a first confidence value being smaller than a first

threshold), such a signal is not provided to the user in response to determining that an input is unrecognized speech.

**To increase the convenience of use of the wireless communication device 1 in those cases where the first recognition of the command word did not provide a sufficiently reliable recognition, the user can be informed of the failure of the recognition of the first stage and be requested to utter the command word again. The wireless communication device 1 forms e.g. an audio message with a speech synthesizer 8 and/or a visual message on a display means 13. The wireless communication device 1 can inform the user with an audio and/or visual signal also in a situation where the recognition was successful. Thus it will not remain obscure to the user whether the recognition was successful or not. This is particularly useful under noisy use conditions.**

Assuming the Examiner is interpreting the three regimes described in Iso-Sipilaet “recognition certain,” recognition uncertain,” and “recognition very uncertain” as the “recognized speech,” “unrecognized speech,” and “non-speech,” recited in the claims, this “audio and/or visual signal” is clearly meant to distinguish between “recognized speech” and the other two categories, and does not serve as a generic response in response to determining that an input is “unrecognized speech.”

Furthermore, one of ordinary skill in the art would not have modified this teaching to arrive at the claimed subject matter because such modification is inconsistent with the teachings of Iso-Sipilaet. The amended claims require not just the “generic response” for the case of “unrecognized speech,” but also the different action of “ignoring or discarding” for the case of “non-speech.” Therefore, the description of the providing an audio and/or visual signal to a user to inform the user of failure of recognition of a first stage teaches away from the claimed subject matter by describing the same action in both cases of “recognition uncertain” (interpreted by the Examiner as “unrecognized speech”) and “recognition very uncertain” (interpreted by the Examiner as “non-speech”).

Thus, claims 1, 17, 24, and 28 should be in condition for allowance.

*Dependent claims 9, 23, and 33*

Dependent claims 9 and 23 stand rejected as unpatentable over Iso-Sipilaet in view of Gammel (U.S. 5,832,429). The above-mentioned subject matter recited by claims 1 and 17 and found to be lacking in Iso-Sipilaet is not taught or suggested by any proper combination of Iso-

Sipilaet and Gammel. Applicant submits that because claim 9 depends from claim 1 and claim 23 depends from claim 23, claims 9 and 23 are patentable for at least this reason.

Dependent claim 33 stands rejected as unpatentable over Iso-Sipilaet in view of Gabai (U.S. 6,160,986). The above-mentioned subject-matter recited by claim 28 and found to be lacking in Iso-Sipilaet is not taught or suggested by any proper combination of Iso-Sipilaet and Gabai. Applicant submits that because claim 33 depends from claim 28, claim 33 is patentable for at least this reason.

*Remaining Dependent claims*

The remaining dependent claims are all properly dependent on a respective one of the independent claims, and are thus allowable therewith. These dependent claims add one or more further limitations not presently relied upon to establish patentability. For that reason, and not because Applicant agrees with the Examiner, no rebuttal is offered to the Examiner's reasons for rejecting these dependent claims.

. Please apply all charges or credits to Deposit Account No. 06-1050, referencing Attorney Docket No. 10663-013001.

Respectfully submitted,

Date: August 16, 2007

/Elliott J. Mason, III/  
Elliott J. Mason, III Reg. No. 56,569

Fish & Richardson P.C.  
Telephone: (617) 542-5070  
Facsimile: (617) 542-8906